

Attorney Docket No. E1047/20006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant : Yuan Min WU et al.
Serial No. : 09/083,410
Filed : May 22, 1998
For : SOLUTION HYBRIDIZATION OF NUCLEIC
ACIDS WITH ANTISENSE PROBES HAVING
MODIFIED BACKBONES
Examiner : Ardin Marschel
Group : 1634

TERMINAL DISCLAIMER TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please charge the \$55.00 fee under 37 CFR 1.20(d) for filing the attached Terminal Disclaimer to our Deposit Account No. 03-0075. Small entity status was established earlier.


Duplicate copies of the Disclaimer and this Transmittal are attached.

Should there be any questions or suggestions regarding this submission, please contact applicants' undersigned attorney at the telephone number listed below. Please charge or credit our Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.

Respectfully submitted,

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By


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REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

E1047/20006

In re Application of: Eileen Xiao-Feng NIE et al.

Application No. 09/083,410

Filed: 05/22/1998

FOR: SOLUTION HYBRIDIZATION OF NUCLEIC ACIDS WITH ANTISENSE PROBES HAVING MODIFIED BACKBONES

The owner, Lorne Park Research, Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,846,729. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

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2. ☒ The undersigned is an attorney of record.

 5/12/99
Signature Date

David M. Tener, Reg. No. 37,054

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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